

12-08-1998



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12-4-98

RECORDATION FORM COVER SHEET
TRADEMARKS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

New

Resubmission (Non-Recordation)
Document ID #

Correction of PTO Error
Reel # Frame #

Corrective Document
Reel # Frame #

Conveyance Type

Assignment License

Security Agreement Nunc Pro Tunc Assignment

Merger Change of Name

Effective Date
Month Day Year
 10 07 98

Other

Conveying Party

Mark if additional names of conveying parties attached

Name Execution Date
Month Day Year
 10 07 98

Formerly

Individual General Partnership Limited Partnership Corporation Association

Other

Citizenship/State of Incorporation/Organization

Receiving Party

Mark if additional names of receiving parties attached

Name

DBA/AKA/TA

Composed of

Address (line 1)

Address (line 2)

Address (line 3)
City State/Country Zip Code

Individual General Partnership Limited Partnership If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative should be attached. (Designation must be a separate document from Assignment.)

Corporation Association

Other

Citizenship/State of Incorporation/Organization

12/07/1998 BNGUYEN 00000283 75476433

FOR OFFICE USE ONLY

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Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

TRADEMARK
REEL: 1823 FRAME: 0305

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Correspondent Name and Address

Area Code and Telephone Number

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

#

Trademark Application Number(s) or Registration Number(s)

Mark if additional numbers attached

Enter either the Trademark Application Number or the Registration Number (DO NOT ENTER BOTH numbers for the same property).

Trademark Application Number(s)

Registration Number(s)

<input type="text" value="75476433"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Number of Properties

Enter the total number of properties involved.

#

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41):

\$

Method of Payment:

Enclosed

Deposit Account

Deposit Account

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

#

Authorization to charge additional fees:

Yes

No

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Mark D. Godler, Esq.
Name of Person Signing

Mark D. Godler
Signature

November 23, 1998
Date Signed

Trademark

Serial Number

Date Filed

W[®]MYN

75/476,433

April 29, 1998

ASSIGNMENT OF INTENT-TO-USE APPLICATION

THIS ASSIGNMENT OF INTENT-TO-USE APPLICATION, dated November ___, 1998, between WOMYN INC., a New York corporation ("Assignor") and Garfield & Marks Designs, Ltd., a New York corporation ("Assignee").

WHEREAS, Assignor filed an Intent-to-Use application (the "Application") with the United States Patent and Trademark Office for the trademark identified on Exhibit 1 attached hereto (the "Trademark").

WHEREAS, pursuant to an Asset Purchase Agreement, dated as of October 7, 1998, between Assignee, Assignor and Total Control Apparel, Inc., Assignor sold to Assignee certain assets comprising its business of designing, manufacturing and marketing women's apparel, including all of Assignor's right, title and interest in the Application and the Trademark, which is used in such business;

WHEREAS, Assignor desires to transfer to Assignee, and Assignee is desirous of acquiring from Assignor, all of Assignor's right, title and interest in and to the Application, the Trademark and any goodwill associated with the Trademark, as part of Assignee's acquisition of the business to which the Application and Trademark pertain, which business is ongoing and existing.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged:

1. Effective October 7, 1998, Assignor does hereby assign, sell, transfer, convey and grant to Assignee, its successors and assigns, all of Assignor's right, title and interest in and to the Application and the Trademark, including the right to apply for all issues, reissues, extensions, renewals and continuations with respect to the Trademark, from the effective date hereof to the full end of the term or terms for which the Trademark may be issued, the same to be held and enjoyed by Assignee, its successor and assigns to the same extent that it would have been held and enjoyed by Assignor if this Assignment of Intent-to-Use Application had not been made.

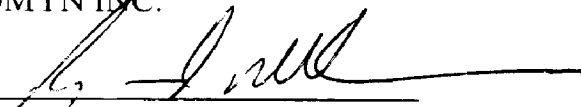
2. Assignor does hereby authorize the United States Commissioner of Patent and Trademarks to register the Application and the Trademark in the name of Assignee, its successors and assigns, in accordance with this Assignment of Intent-to-Use Application.

3. Assignor will execute and deliver to Assignee, its successors and assigns, any further documents or instruments and shall do any and all further acts that may be necessary to vest in Assignee, its successors and assigns, the title herein conveyed, or intended so to be, and to the extent possible to enable such title to be recorded in the United States Patent and Trademark Office.

This Assignment of Intent-to-Use Application may be executed in any number of counterparts, all of which taken together shall constitute one and the same instrument, and each of the parties hereto may execute this Agreement by signing any such counterpart.

IN WITNESS WHEREOF, this Assignment of Intent-to-Use Application has been executed as of the date first written.

WOMYN INC.

By: 
Name:
Title: PRESIDENT

GARFIELD & MARKS DESIGNS, LTD.

By: _____
Name:
Title:

This Assignment of Intent-to-Use Application may be executed in any number of counterparts, all of which taken together shall constitute one and the same instrument, and each of the parties hereto may execute this Agreement by signing any such counterpart.

IN WITNESS WHEREOF, this Assignment of Intent-to-Use Application has been executed as of the date first written.

WOMYN INC.

By: _____
Name:
Title:

GARFIELD & MARKS DESIGNS, LTD.

By: *Garfield*
Name: *CEO*
Title:

W♀MYN

Trademark

Serial Number

Date Filed

WOMEN

75/476,433

April 29, 1998